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Docket No.: 1185.1047

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Hiroshi Yamazaki et al.

Serial No. 09/330,016

Group Art Unit: 2871

Confirmation No. 8878

Filed: June 11, 1999

Examiner: Dung Nguyen

For: SURFACE LIGHT SOURCE DEVICE OF SIDE LIGHT TYPE, LIQUID CRYSTAL
DISPLAY AND GUIDE PLATE

REQUEST FOR COMPLETE OFFICE ACTION AND RESET OF RESPONSE DUE DATE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The Office Action mailed on April 8, 2004 is defective in that the Examiner ignores the arguments advanced previously. In item 6, on page 4 of the Office Action, the Examiner states, "It should be noted that Applicants' amendment after final filed 12/12/2003 has not entered; it has been placed in the application file, but it has not been considered." Because no Amendment was filed on December 12, 2003, Applicants presume the Examiner is referring to the December 3, 2003 Amendment.

The Examiner is referred to his Advisory Action dated December 29, 2003. In the Advisory Action, the Examiner failed to mark box 2, which indicates that the Amendment will not be entered. Instead, the Examiner marked box 5, which indicates that the request for reconsideration has been considered. The Examiner also marked box 7, which indicates that Proposed Amendment will be entered for the purposes of appeal. The Advisory Action therefore conveys that the Amendment has been entered and a complete response from the Examiner would be provided if a Request for Continued Examination (RCE) was filed. Applicants proceeded on this basis. Because of the Advisory Action, Applicants filed an additional independent claim together with the RCE. Further, Applicants did not request entry of the December 12, 2003 Amendment: according to the Examiner, it had already been entered.

The April 8, 2004 Office Action is defective because it does not consider the December 12, 2003 Amendment. Specifically, the Office Action erroneously indicates that U.S. Patent No.

5,887,964 to Wortman et al. discloses a lightguide plate having an emission face with areas having different degrees of roughness. This is not correct, as explained in the December 12, 2003 Amendment (copy enclosed).

Applicants respectfully request a corrected Office Action with a reset response due date. Applicants submit that the corrected Office Action should be a Notice of Allowance.

If there are any questions regarding this request, such questions can be addressed by telephone to the undersigned.

Respectfully submitted,

STAAS & HALSEY LLP

Date: May 21, 2004

By: Mark J. Henry
Mark J. Henry
Registration No. 36,162

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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Attention: After Final

Sir:

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed June 3, 2003 finally rejecting claims 1-9.

The items checked below are appropriate:

1. EXTENSION OF TIME PETITION AND FEE

X Attached is a petition for a three-month extension of
time for reply to the final rejection. \$ 950.00

2. APPEAL FEE

X Other than a small entity 330.00

TOTAL FEE \$1,280.00

3. PAYMENT

 Check attached for the total fee of \$.

X Charge \$1,280.00 Account 19-3935 for any fee deficiency.

Respectfully submitted,

STAAS & HALSEY LLP

Dated: Dec 3, 2003

By: Mark J. Henry
Mark J. Henry
Registration No. 36,162

1201 New York Ave, N.W., Suite 700
Washington, D.C. 20005
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Certificate Under 37 CFR § 1.8(a)

I hereby certify that this document is being
faxed to the Examiner on December 3, 2003,
at 703-3050-7726.

Date: Dec 3 2003

Transmitted by: Mark J. Henry
Mark J. Henry



*** Transmission Result Report (Dec. 4. 2003 12:01AM) ***

T T I STAAS & HALSEY 202 434 1501

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3) No answer

2) Busy
4) No facsimile connection

**LAW OFFICES
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FACSIMILE TRANSMISSION

December 3, 2003

TO: USPTO

ATTN: Examiner Dung T. Nguyen

FAX NO.: (703) 308-7726

TELEPHONE: (703) 305-0423

FROM: Mark J. Henry

RE: Serial No. 09/330,016

OUR DOCKET: 1-85.1047



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NO. OF PAGES (Including this Cover Sheet)

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COMMENTS:



S&H Form: (10/03)

**REPLY/AMENDMENT
FEE TRANSMITTAL**

Attorney Docket No.	1185.1047
Application Number	09/330,016
Filing Date	June 11, 1999
First Named Inventor	Hiroshi Yamazaki et al.
Group Art Unit	2871

AMOUNT ENCLOSED

Examiner Name
Dung Nguyen**FEE CALCULATION (fees effective 10/01/03)**

CLAIMS AS AMENDED	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra	Rate	Calculations
TOTAL CLAIMS	9	- 20 =	0	X \$ 18.00 =	\$ 0.00
INDEPENDENT CLAIMS	3	- 3 =	0	X \$ 86.00 =	0.00

Since an Official Action set an original due date of September 3, 2003, petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$110); 2 months (\$420); 3 months (\$950); 4 months (\$1,480); 5 months (\$2,010)):

950.00

If Notice of Appeal is enclosed, add (\$320.00)

330.00

If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$110.00)

Information Disclosure Statement (Rule 1.17(p)) (\$180.00)

Total of above Calculations =

\$ 1280.00

Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)

TOTAL FEES DUE =

\$ 1280.00

(1) If entry (1) is less than entry (2), entry (3) is "0".

(2) If entry (2) is less than 20, change entry (2) to "20".

(4) If entry (4) is less than entry (5), entry (6) is "0".

(5) If entry (5) is less than 3, change entry (5) to "3".

METHOD OF PAYMENT

- ☐ Check enclosed as payment.
- ☒ Charge "TOTAL FEES DUE" to the Deposit Account No. below.
- ☐ No payment is enclosed and no charges to the Deposit Account are authorized at this time (unless specifically required to obtain a filing date).

GENERAL AUTHORIZATION

- ☒ If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:
- Deposit Account No. 19-3935
- Deposit Account Name STAAS & HALSEY LLP
- ☒ The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.

SUBMITTED BY: STAAS & HALSEY LLP

Typed Name Mark J. Henry Reg. No. 36,162

Signature  Date Dec 3, 2003

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